

## MANSFIELD TOWNSHIP COMMITTEE MEETING

March 26, 2014

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher

Salute to the flag was done by all.

### APPROVAL OF THE MINUTES:

Mr. Misertino made a motion to approve the minutes from the regular meeting held on March 12, 2014, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

### BILL LIST:

Mr. Clancy made a motion to approve the Bill list, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

### CFO REPORT:

Mr. Pandos stated that he is looking into new financial software package to switch to. Mr. Pandos explained that he is looking into Municipal Software, and all of the people that he has encountered use Edmunds so he is looking into both.

### CLERKS REPORT:

Mr. Watters made a motion to approve the Board of Health Shared Service Agreement, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Lawn Maintenance Bid

Mr. Misertino made a motion to award the bid to Hummels Landscape for a single cut in the amount of \$35,000 per year, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

ENGINEERS REPORT:

Mr. DiSessa stated that he has a meeting scheduled here on Friday morning at 10am.

Mr. DiSessa stated that HMUA will be testing the water mains all throughout the project so that we have some reassurance that there will not be any issues with this.

RESOLUTION:

**RESOLUTION # 2014-56**  
**Endorsement of Redeemed Municipal**  
**Tax Sale Certificate**

TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY

**BE IT RESOLVED**, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

TAX SALE CERTIFICATE NUMBER	BLOCK/LOT	AMOUNT
2012-30	2719/01	\$10,985.48

Mr. Clancy made a motion to approve the passage of Resolution 2014-56, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

**RESOLUTION # 2014-57**  
**LIEN REDEMPTION**

**TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield this 26<sup>th</sup> March, 2014 that payment is to be made to the certificate holder as noted:

US Bank-Cust For Empire Tax Fund  
2 Liberty Place  
50 S. 16<sup>th</sup> Street, Suite 1950  
Philadelphia, PA. 19102

Block 1702, Lot 10  
Certificate # 2010-11  
\$ 9,320.14

Mr. Clancy made a motion to approve the passage of Resolution 2014-57, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher  
Nays: None  
Absent: Mayor Tomaszewski  
Abstain: None

**RESOLUTION # 2014-58  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY  
Resolution of Support from Local Governing Body Authorizing the  
2014 ANJEC Open Space Grants for Environmental Commissions  
“Municipal Park Hiking Trail Enhancement”**

**WHEREAS**, ANJEC (Association of New Jersey Environmental Commissions) seeks to advance local open space stewardship, and help to raise the profile of the environmental commission in the community through publicity and public participation or collaboration with local groups on projects,

**WHEREAS**, the Township of Mansfield, Warren County, New Jersey procured 128 acres of land through the Open Space Program and dedicated that land to the creation of the Mansfield Township Community Park,

**WHEREAS**, the Mansfield Township Community Park contains both active and passive recreation areas, and the grant would be used to enhance the beauty and use of the Township’s hiking trail as well as to prevent erosion in times of heavy rain via planting trees (both shade and ornamental), hedges, and shrubs,

**WHEREAS**, in addition, the Township will strategically place way station benches along the trail,

**THEREFORE**, the Township Committee of the Township of Mansfield, Warren County, New Jersey has determined that the Township of Mansfield should apply for the aforementioned Grant in the amount of \$ 1,500.00.

**THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, Warren County, State of New Jersey, authorize the submission of the aforementioned Grant.

Mr. Misertino made a motion to approve the passage of Resolution 2014-58, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

ORDINANCE:

First Reading

Deputy Mayor Watters introduced Ordinance 2014-06.

**ORDINANCE #2014-06**

**BOND ORDINANCE RESTATING BOND ORDINANCE  
2013-14 PROVIDING AN APPROPRIATION OF \$432,000  
FOR VARIOUS IMPROVEMENTS TO DIAMOND HILLS  
ROADS IN AND BY THE TOWNSHIP OF MANSFIELD, IN  
THE COUNTY OF WARREN, NEW JERSEY AND  
AUTHORIZING THE ISSUANCE OF \$196,650 BONDS OR  
NOTES OF THE TOWNSHIP FOR FINANCING PART OF  
THE APPROPRIATION.**

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**SECTION ONE:**

The Township Committee of the Township of Mansfield has ascertained and determined to restate Bond Ordinance 2013-14 and accordingly Bond Ordinance 2013-14 is restated as follows:

**“SECTION 1:**

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Mansfield, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$432,000. Such sum includes the sum of (a) \$125,000 expected to be received as a grant from the New Jersey Department of Transportation; (b) \$100,000 expected to be received from the Hackettstown Municipal Utilities Authority and (c) \$10,350 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented

(the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$196,650 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$196,650 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

The improvement hereby authorized and the purpose for which obligations are to be issued is for various improvements to roads within the Diamond Hills Development, including all work and materials necessary therefor or incidental thereto.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$196,650.

The estimated cost of the Improvement is \$432,000 which amount represents the initial appropriation made by the Township.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services,

Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

The following additional matters are hereby determined, declared, recited and stated:

The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 20 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$196,650 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$108,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$196,650.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law”

## SECTION TWO:

The restated bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Watters made a motion to introduce Ordinance 2014-06 and requested that the public hearing be advertised to be held on April 9, 2014 at 8:00pm, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

## ORDINANCE NO. 2014-07

### **ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE BY THE TOWNSHIP OF REAL PROPERTY FROM JOHN M. McDONNELL, CHAPTER 7 TRUSTEE FOR THE ESTATE OF CHARLES JAMES CORLEY AND MICHELLE RENE CORLEY IDENTIFIED AS BLOCK 901 LOT 23 ON THE TAX MAP OF THE TOWNSHIP OF MANSFIELD**

## SECTION I

**WHEREAS**, the Township is desirous of purchasing Property known as Lot 23, Block 901, from John M. McDonnell, Chapter 7 Trustee for the Estate of Charles James Corley and Michelle Rene Corley, at a price of Forty-Five Thousand Dollars (\$45,000); and

**WHEREAS**, the Township has conditioned the contract upon receiving funds for the above purchase from the Warren County Open Space Trust Fund to fund the purchase of this property; and

**WHEREAS**, a proposed Contract for the sale of said real estate has been prepared; and

**WHEREAS**, the Township is desirous of entering into said Contract, and to effectuate the purchase of the

same, contingent on receiving the necessary grants.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that the Township is hereby authorized to purchase the above-referenced property from John M. McDonnell, Chapter 7 Trustee for the Estate of Charles James Corley and Michelle Rene Corley for the total sum of Forty-Five Thousand Dollars (\$45,000), conditioned upon the Township receiving full funding for said purchase from the Warren County Open Space Trust Fund, it being further understood that any balance may be paid from the Township Open Space Trust Fund at the option of the Township.

**BE IT FURTHER ORDAINED**, that the Mayor and Clerk of the Township of Mansfield are hereby authorized to execute all necessary documents, including the Contract of Sale, to purchase said properties.

## **SECTION 2 - SEVERABILITY**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

## **SECTION 3 - REPEALER**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

## **SECTION 4 - EFFECTIVE DATE**

This Ordinance shall take effect as required by law.

Mr. Clancy made a motion to introduce Ordinance 2014-07 and requested that the Public Hearing be held on April 9, 2014 at 8:00pm, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher  
Nays: None  
Absent: Mayor Tomaszewski  
Abstain: None

## **PUBLIC PORTION: (3 minute limit per person)**

Don Proefrock, asked about the improvements that were discussed and if the intersection would be repaired.

Deputy Mayor Watters stated that the intersection would just be oil and chipped.

Don Proefrock asked what the township will have to do to upgrade the Mt Bethel Church.

Deputy Mayor Watters stated that the Township is looking to apply for Municipal Charitables funding to make the repairs to the Church.

Mr. Proefrock discussed the grant that the Green Team received for the rain barrel workshop.

Deputy Mayor Watters asked about Mr. Proefrock's involvement of the workshops that will be held at the Pequest



Fish Hatchery.

Mr. Proefrock stated that he has been in contact with Liz Jackson and Matt Barr, AmeriCorps Watershed Ambassador.

Paul Tarlow, 40 Brookside Ave, asked what input has been provided for the development that will be located in Washington Township there will be a meeting held April 2 at 5:30 to 7pm and he feels that this development will affect us and we should give input.

Mr. Watters stated that if we request he is sure that we will be able to get the information on this.

Mr. Tarlow thinks that someone from the Committee should attend the meeting to add comment.

Connie Adasavage asked if Mansfield had any information from the Reassessment.

Mr. Watters stated that he does not have the numbers but from what he heard some have gone up and some have gone down and most of the Q farm properties have more than doubled.

Mrs. Adasavage asked if when the numbers come in is this something that will be available to the public.

Joe and Nick Toscano were present to speak to the Township Committee.

Nick Toscano spoke to the Township Engineer about the notice of violation with the sign for Woodland Auto Sales.

Mr. Lavery stated that with this notice of violation this information should be brought to Mr. DiSessa and discussed with him.

#### Second Reading

### **ORDINANCE 2014-05**

#### **AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING NEW SECTIONS 3 CLINIC SPORTS REGISTRATION FEES AND SCHOLARSHIPS**

**WHEREAS**, the Township Committee of the Township of Mansfield has determined that there should be, within the Township of Mansfield; recreation registration fees.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended to include the following provisions regarding recreation registration fees.

#### **Section 1**

Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new section establishing Clinic Sports Registration Fees:

Chapter IIIA-13. Clinic sports registration fees for participation of children in sports clinics of the Township of Mansfield shall be as follows:

- (a) Spring Beginner Tennis Program
  - i. Ages 5-6 \$26 for Six (6) half (1/2) hour sessions, per child
  - ii. Ages 7-14 \$48 for Six (6) one (1) hour sessions, per child
- (b) Summer Beginner Tennis Program
  - i. Ages 5-6 \$17 per weekly half ( 1/2) hours session, per child
  - ii. Ages 7-14 \$32 per weekly one (1) hour session, per child

This ordinance shall take effect immediately after passage.

### **Section 3**

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Mr. Clancy made a motion to approve the passage of Ordinance 2014-05 and requested that the results be advertised, which was seconded by Mr. Misertino.

Deputy Mayor Watters opened the floor for Public Comment on Ordinance 2014-05, seeing there were no comments the public comment portion was closed.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

### **COMMITTEE PERSON COMMENTS:**

Mr. Misertino made a motion to approve Recreation working with Mr. John for the port a johns, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Mr. Watters made a motion to have Mr. Pandos move forward with the video surveillance cameras.

Mr. Misertino stated that the Recreation Committee has two endeavors that they are working on they would like to try to raise money for the Recreation Building.

Mr. Lavery stated that this should not be a problem they would just need to let us know what they are collecting for.

Mr. Misertino stated that the Recreation Committee would like to create and maintain a Facebook page for Parks and Recreation.

Mrs. Kocher asked about the letter from the Welch family.

Deputy Mayor Watters stated that the letter should be forwarded to the Tax Collector to see if this is something that

the township should move forward with.

Mr. Watters made a motion to adjourn at 8:19pm, which was carried by all.